

JKF  
LLC  
GLF



UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 23 2002

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILED DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/909,237	05/19/2001	Jeffrey B. Miller	08472-720003

CONFIRMATION NO. 9307

LEE CREWS, PH.D.  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804

WITHDRAWAL NOTICE



\*OC000000008148586\*

Date Mailed: 05/17/2002

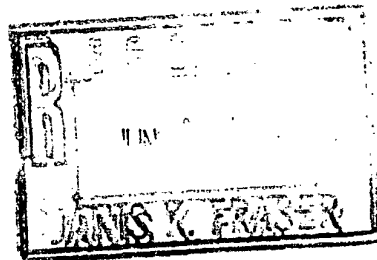
WITHDRAWAL OF PREVIOUSLY SENT NOTICE

The Notice mailed on 08/08/2001 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the corrected Notice. We apologize for any inconvenience this caused.

RECEIVED

MAY 23 2002

FISH & RICHARDSON, PC.  
BOSTON OFFICE



*A copy of this notice **MUST** be returned with the reply.*

GS

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/909,237	07/19/2001	Jeffrey B. Miller	08472-720003

LEE CREWS, PH.D.  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804

COPY OF PAPERS  
ORIGINALLY FILED

CONFIRMATION NO. 9307

## FORMALITIES LETTER

\*OC00000008148612\*

Date Mailed: 05/17/2002

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*

*GS*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jeffrey B. Miller

Art Unit : 1636

Serial No. : 09/909,237

Examiner : Unknown

Filed : July 19, 2001

Title : MOLECULAR MARKER FOR MUSCLE STEM CELLS

**BOX SEQUENCE**

U.S. Patent and Trademark Office

P.O. Box 2327

Arlington, VA 22202

**COPY OF PAPERS  
ORIGINALLY FILED**

VERIFIED STATEMENT UNDER 37 CFR §1.821(f)

I, Katica Magovcevic, declare that I personally prepared the paper and the computer-readable copy of the Sequence Listing filed herewith for the above-identified application and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 7/2/02

Katica Magovcevic  
Katica Magovcevic

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
(617) 542-5070 telephone  
(617) 542-8906 facsimile

20462611.doc

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

July 17, 2002  
Date of Deposit

Mary E. Jacoby  
Signature

Mary E. Jacoby  
Typed or Printed Name of Person Signing Certificate



Attorney's Docket No.: 08472-0003 / MGH-1176.2 Miller - Cont.

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jeffrey B. Miller

Art Unit : 1636

Serial No. : 09/909,237

Examiner : Unknown

Filed : July 19, 2001

COPY OF PAPERS  
ORIGINALLY FILED

Title : MOLECULAR MARKER FOR MUSCLE STEM CELLS

**BOX SEQUENCE**

U.S. Patent and Trademark Office

P.O. Box 2327

Arlington, VA 22202

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE AND/OR AMINO ACID SEQUENCES

In response to the communication dated May 17, 2002 (copy enclosed), applicant submits herewith a Sequence Listing in computer readable form as required by 37 CFR §1.824. In addition, applicant submits herewith an initial Sequence Listing as required under 37 CFR §1.823(a) and a statement under 37 CFR §1.821(f).

Applicant respectfully requests entry of the paper copy and computer readable copy of the Sequence Listing filed herewith for the instant application. Furthermore, applicant requests entry of the following amendments.

In the specification:

Insert the paper copy of the Sequence Listing filed herewith following the Oath/Declaration.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

Date of Deposit

July 17, 2002

Signature

Mary E. Jacoby

Typed or Printed Name of Person Signing Certificate

Mary E. Jacoby